THE

LETTER

Which was sent to the AUTHOR of the

DOCTRINE

OF

Passive Obedience

AND

JURE DIVINO Disproved, &c.

ANSWERED and REFUTED,

Wherein is Proved,

That Monarchy was not Originally from GOD.

That Kings are not by Divine Appointment, but that all Government proceeds from the People.

That the Obedience required in Scripture, is to the Laws of the Land, and no otherwise.

That Resisting of Arbitrary Power is Lawful.

That the Oath of Allegiance to the late King *James* was dissolved before the Prince of *Orange* (our present King) landed.

That upon the Non-performance of an Oath on one side, the other becomes void, is plainly prov'd from several Examples in Scripture.

That Protection is the only Cause of Allegiance, and that Obedience or Allegiance is due to the present Government is proved from Scripture, Law and Reason; and those Texts of Scripture which relate to Government, or Monarchy, are Explained.

The Second Edition.

LONDON,

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A

VINDICATION

OF THE

DOCTRINE

OF

Paſſive Obedience and *Jure Divino* Diſproved, *&c.*

SIR,

I Queſtion not but that your Anſwer is the Idea of your Mind; which I doubt not but to make appear to be not only pernicious, but tends to the Deſtruction of all Humane Societies; and likewiſe, that you have wreſted the Scripture, and have made Notorious Falſe Aſſertions. For brevity ſake, I ſhall leave out your unneceſſary Prologue. You ſay, you will not recite any of my Words, but refer to my Propoſitions, in that order as I have ſet them down, being Thirty Eight Breaks or Sentences.

I do desire you, and all impartial Men that read this Book, to take the pains to read my former Sheet, and number the Breaks or Assertions therein, and compare them with your Answer (which I have set down *Verbatim*), that they may the better judge of the Ridiculousness thereof.

1. To begin: (you say) By the Word of God it appears, That Monarchy is the Government which God hath chosen above all others; and that the People were always obliged to accept that Form of Government which God had chosen for them, before they did actually bind themselves: See him, said Samuel to all the People, whom the Lord (not you) hath chosen, 1 Sam. 10. 24. Jeroboam indeed was a King of the Peoples making, and presently after (you know) they made a golden Calf. This Act of the People (though permitted by God for the punishment of Solomon's sin) is more than once called Rebellion in Scripture, 1 Kings 12. 19. 2 Chron. 10. 19.

1 *Sam.* 8. 19, 20 The Children of *Israel* importuned him for a King over them, *that they might be like all the nations, and that he might judge them, and go before them, and fight their Battles.* Chap. 10. 24, 25. *And Samuel said unto the People, See him whom the Lord hath chosen: And he told the People the manner of the Kingdom* (which was the Law of the Kingdom), *and wrote it in a book, and laid it up before the Lord.* Surely no man will say, but that this Law was a Rule for the King to go by as well as the People: And then where was his Absolute Authority? Chap. 11. 14, 15. *Samuel said to the People, Come, and let us go to Gilgal, and renew the Kingdom there. And all the People went to Gilgal, and there they made Saul King before the Lord.* 1 Sam. 12. 12, 13. *Ye said unto me,* says *Samuel, Nay, but a King shall reign over us, when the Lord your God was your King* (by which it appears, there was no other King but God): *Now therefore behold the King whom ye have chosen.* But though he was made King by the appointment of Almighty God, yet it was thought necessary the People should confirm, and make him King again: And 1 *Chron.* 29. 22. *The people made Solomon King the second time*; Which makes not a little for the Peoples Right in Electing their Kings. *Jeroboam*

roboam was a King by the appointment of Almighty God, (though Elected by the People) 1 *Kings* 11. 35. Where the Prophet *Ahijah*, ſpeaking to *Jeroboam*, *Thus ſaith the Lord, I will take the Kingdom out of Rehoboam's, the Son of Solomon's hand, and will give it to thee, even Ten Tribes.* But with what face can you wreſt the Scripture thus, in ſaying, that the Peoples chuſing of *Jeroboam*, is more than once called a ſin, when both theſe Texts which you quote relates to the aforegoing Verſes, wherein 'tis ſaid, That King *Rehoboam* ſent *Adoram*, that was over the Tribute, *and all Iſrael ſtoned him with ſtones, that he died*; which was Rebellion, becauſe it was reſiſting the Lawful Authority: Beſides, *Jeroboam* is not mentioned as King till after this Act was committed.

2. **The true and real greatneſs of the Soveraign is never inconſiſtent with the Publick Advantage.**

The true and real Greatneſs of the Soveraign, both from God and Man, is not to annihilate or deſtroy Government, but to preſerve it, with Juſtice and Peace. All Acts contrary to the Laws of the Land are far from being a true and real Greatneſs; and therefore are inconſiſtent with the Publick Advantage.

3. **Thoſe things which God hath joyned, let no man put aſunder: The head cannot be well, if the Members be much out of order; neither can the Members rightly perform their office, if the Head be ſick and weak. The good of the Society is indeed the End of Government; but 'tis Nonſence to talk of the good of a Society, without including the Governour as well as the Governed.**

The People are no ways commanded by God to put themſelves into this or that Form of Government, but 'tis wholly left to their choice: And all Government whatſoever, tho after the mutual ties of Reciprocal Oaths, are not joyned by God, tho permitted by him: But how do you wreſt the Scripture which particularly relates to Man and Wife (and apply it to Government), as may be ſeen, *Matth.* 19. 6. But *verſe* 9. allows a man to turn away his Wife for Fornication, tho joyned by God. But ſuppoſe the King and People are joyned together by God, is it not much more reaſonable to turn a-

way that King who ſhall endeavour to deſtroy the People, or overthrow their Laws, Rights and Privileges, and make them Slaves to his Arbitrary Will and Pleaſure, than for to turn away one's Wife for Fornication? I ſay, if a Woman forfeits her right to her Husband, by breaking of her Marriage-Vow, in committing of Fornication, ſurely 'tis much more reaſonable, that a King who breaks his Oath, and endeavours to overthrow the Government, and eſtabliſh an Idolatrous Religion (and by conſequence robbing God and the Nation of their Rights), ſhould forfeit his Right to the People. The Safety of the Body (that is the People) is to be valued before the Head, (which is the Chief Governour) becauſe it is an eaſie matter to get a Head to the Body, but not a Body to the Head.

4. The Law preſerves the King from Force and Violence, tho he ſhould not always make it the meaſure of his Power. It hath alſo more reſpect for the meer Inſtruments of his Arbitrary Will, than to treat them as Robbers and Banditi; otherwiſe a man would much rather chuſe to be the Lord Chief Juſtice's Servant than the King's; becauſe the one can aſſure me, that his Commands are Law, when as the other (rather out of Ignorance of the Law than Malice) may unadviſedly engage me in thoſe Serbices which are not warranted by the Law.

The Law preſerves the People from Force and Violence as well as the King; but no Force or Violence hath been uſed to the late King *James*, tho ſome Law with Force has been uſed to ſome of his Inſtruments: And the Law of the Land, Nature, and Self-preſervation, will juſtifie us in what has been done. The Plea of Ignorance in matters of Law, is not allowed on in the meaneſt Subject the King has; and can the King plead Ignorance, when he hath a Learned Council, with Judges always to adviſe with?

5. If the People had made the Law the meaſure of their Privileges, as well as King Charles the 1ſt did make them the meaſure of his Power, we might probably before this time have ſeen a good agreement between theſe Two Zealous Competitors. A little Paſſive Obedience in the buſineſs of the Ship-Money, would, I'm perſwaded, have done the Kingdom no harm in that Conjuncture.

King

King *Charles* the First did not make the Law the measure of his Power, when he raised the Ship-money, which was contrary to Law, and the people refusing to submit to it, made the Law the measure of their Priviledges; for they were bound by no Law to consent to any thing the King should command contrary to Law, much less a Priviledge of such vast Importance, as the parting with their Money contrary to Law.

6. Absolute and unconditionate Obedience is, I grant, due only to God, who alone has absolute Authority; and to the King no otherwise than as his Vicegerent, which Character he doth not altogether lose by the abuse of his Power. 7. Inasmuch that they who resist, do resist not only the Usurpations of men, but the Ordinance of God, though the person be a Claudius or a Nero.

A Vicegerent is one that is appointed, but God has no where appointed or commanded the World to be governed by Kings (though he permits them) therefore they are not God's Vicegerents; but they may be very properly called his Vicegerents whilst they administer Justice and Equity to every man: There is no Absolute Authority given to Princes in Scripture, nor no Absolute Subjection commanded to them beyond the Laws of the Country; and therefore Kings do lose the Character of God's Vicegerents, when Guilty of a habit and constant tract of Arbitrariness and unreasonable Actions contrary to the Laws of the Land. All Acts of Kings or Magistrates, contrary to the Law of God or Man, are no Legal Acts, but Usurpations, therefore they are the Acts of private persons, and we are no ways in Scripture commanded to obey such Acts; therefore we may right our selves from all such Unreasonable and Tyrannical Usurpations. We ought to Obey all Magistrates whilst they keep up Rule, Order, and Government, letting the people live peaceable and quiet lives according to the Laws (which is the design of all Government) but instead of Executing wrath upon evil-doers, (according to the Scripture) they become evil-doers themselves, endeavouring to make the people slaves to their Arbitrary

bitrary Will and Pleasure; in such cases they are not Magistrates according to Scripture or Law, and therefore it is lawful to secure our selves from such designs; for as the King may with Law and Reason secure himself from the designs of all evil men, so may the People secure themselves from the unlawful designs of any man or men whatsoever. Sir, you are pleased to make God the Author or Approver of the Usurpations of men, which I absolutely deny, and doubt not but I shall make it appear to the contrary: *Rom.* 12. 17. *Recompense no man evil for evil.* If a man robs me, or sets fire to my House, I ought not to do the like to him, but right my self by the Law; but if he shall endeavour to take away my life contrary to Law, 'tis no Evil, but an incumbent duty to defend it: *Vers.* 18. *If it be possible, as much as lieth in you, live peaceably with all men.* It is not possible we can live peaceably with those who endeavour to destroy us, *Ergo* we may secure our selves from such endeavours, and reduce such men to peaceable lives: *Vers.* 19. *Dearly beloved, avenge not your selves, but rather give place unto wrath*; That is, rather suffer by an unjust Law than resist, though it be to a Heathen Prince. I would fain know where was the Absolute Authority of Kings, when the Children of *Israel* received the Law from the Levitical Priesthood, and whether those Laws were not binding to the King as well as the People; and whether our Kings have an Absolute Authority; if not, by what Scripture or Reason we may not secure our persons, our Rights and Priviledges from the unlawful and unchristian Designs of the Prince?

8, 9, 10, 11. I object nothing against your eight and ninth Aphorisms, no nor your tenth, if it be meant only of that Defence which one private person may make against another. But to your eleventh Maxim I can by no means assent; for if every man has the right of self-preservation as entire under Civil Government, as in a state of Nature, what difference, I beseech you, is there betwixt the one and the other state? And why was Civil Government instituted and appointed by God? Surely for no other end, but that men shou'd not be their own Carvers, and involve the publick in those miseries, which interstine

ctine broiles and quarrels wou'd daily produce. Though subordinate Magistrates may be punished for Acts of illegal Violence, because they are no part of their Office; yet as long as they continue in Office, they are publick Ministers, and ought to be accounted as such till for their crimes they shall be degraded.

If the King himself has Authority to take away a man's life contrary to Law, then he can give this Authority to ten thousand persons (if he pleases) and then they wou'd be no private persons, because they wou'd act by his Authority. In a state of Nature every man acts according to his Reason in righting or preserving himself; but every man hath more right of self-preservation in a Civil Government, than in a state of Nature, because the Law allows of self-preservation, and punishes those that endeavour to take away a man's life contrary to Law. If one meets me, and endeavours to take away my life, and I must either die upon the spot, or defend my self, in this case, if I kill him, it's no Murder; but if he kills me, it is Murder. Civil Government was surely appointed by God and Man for no other end, but that men shou'd live peaceable and quiet lives, and not that Magistrates shou'd be their own Carvers, and instead of protecting and governing the people (according to the Laws of the Land) destroy them.

12. This is right Common-wealth Rhetorick, they were Children of Belial (i. e. Masterless persons, as the word signifies) who said, How shall this man save us, and they despised him, says the Text, 1 Sam. 10. 27. More Throats have been cut by the Doctrine of Resistance, than ever were by that of Passive Obedience, witness our Nation in all Ages.

These are Passive Obediences with a Vengeance, and right Antichristian Principles, to set up one Member so much above the rest, that if it endeavours to destroy them, they are obliged to make no Resistance: more Throats have been cut by this Doctrine of Passive Obedience than that of Resistance, witness all the Cruel Persecutions under the *Roman* Emperours, the Massacres of *Paris*, *Piedmont*, and *Ireland*, and many more Instances might be given. But suppose the contrary, the sin lies at their doors, who by their Cruel

Persecu-

Perſecutions and Violations of the Rights of the People, force them to right themſelves. 'Tis certain the Goſpel does no where require or permit the planting of Religion by the Sword (tho the Papiſts have practiſed it in all Ages, to the deſtroying of many Thouſands of Souls): We ought not to defend our Religion when the Laws of the Country are againſt it: But the Scripture does not require us, not to defend our Religion (or Civil Rights), which is eſtabliſhed by the Laws of the Country; *Ergo*, we may defend them; for *where there is no Law there can be no tranſgreſſion.* If it is not lawful to defend our Religion, then any Army, or number of Heathens may come, and ſettle their falſe Religion here: And if it is lawful to hinder the ſettling of Religion here by a Forreign Power, it muſt be lawful to hinder the ſettling of a Falſe Religion amongſt our ſelves (as the *Romiſh* Religion is, if the Scripture is true): And I think no man can without Impudence deny, but that King *James* had a deſign to ſettle his Falſe Religion here; by conſequence it is lawful to hinder him. When *Julian the Apoſtate* told the Chriſtians, their Doctrine was to ſuffer, an Eminent Man of that Age wrote a Tract (*de Regibus Apoſtaticis*), and approved as Orthodox Doctrine by Biſhop *Athanaſius*, wherein the Emperour was informed, That the Chriſtian Religion, when Eſtabliſhed by Law, allowed them to juſtifie their Rights, and not to be ruined and deſtroyed, to gratifie an Idolatrous Prince: *Eccleſ.* 8. 4. *Where the Word of a King is, there is power, and who may ſay unto him, What doſt thou?* The Word or Command of a King is ſuppoſed to be according to the Law or Cuſtom of the Countrey; in which Acts no body ought to controul him. But ſuppoſe a King be guilty of all manner of Illegalities and Cruelties, muſt not a Biſhop or a Nobleman, in an humble manner, tell him of his Faults? Surely the Scripture never meant it in ſuch a ſence. 1 *Pet.* 2. 13, 14. *Submit your ſelves to every ordinance of man for the Lord's ſake,* (which is every Law of man) *whether it be to the King as ſupream* (that is, the Chief Executor of the Laws) *or unto Governours as unto them that are ſent*

by

by him, (which are Officers appointed by the King for the executing or fullfilling of the Laws) *for the punishment of evil-doers, and for the praise of them that do well.* Rom. 13. 1. *Let every soul be subject unto the higher powers*, (that is, to the Laws or Customs of the Country, and to the Prince as the Executor thereof) *for there is no power but of God*, (the greatest Villain amongst Mankind acts by the Power of Almighty God, but not by his appointment or approbation) *the powers that be are ordained of God:* (the power which every man hath is from God) *ver.* 2. *Whoso therefore resisteth the power, resisteth the ordinance of God*, (he that resists the Laws, resists the Powers, beyond which a Prince hath no power, except to act by Fraud or Force, which is against Divine and Humane Laws) *and shall receive to themselves damnation*, ver. 3, 4. *For Rulers are not a terror to good works, but to the evil; for he is the Minister of God to thee for good, a revenger to execute wrath upon him that doth evil:* (He is the Minister of God for good, whilst he administers Justice and Equity to every man, and punisheth him that doth evil, or violates the Laws) *Vers.* 5. *Wherefore ye must needs be subject not only for Wrath, but for Conscience sake*; which can be nothing else than to suffer according to the Laws of the Country, tho never so unreasonable. The Laws of Countries are supposed to be made agreeable to the Inclinations of the Majority of the People; and therefore the lesser number ought to conform to the greater; but if against their Conscience, to suffer; for it is impossible to make Laws for the Security and well-Government of a Nation to please every body. *Prov.* 8. 15. *By me Kings reign, and Princes decree Justice:* That is, by the appointment or permission of God Kings and Princes reign, and decree Justice; but it cannot from hence be inferr'd, that he commands, or allows of their Injustice, and endeavours to destroy the People whom they ought to preserve. *Rom.* 12. 17. *Render therefore to all their dues, tribute to whom tribute is due, custom to whom custom, fear to whom fear, honour to whom honour:* That is, Tribute, Custom, Fear and Honour, to whom it is due by the Laws of the Land. There is no Fear due to a

Prince from him who liveth according to the Laws of the Land, but from him that doth not. What a ſin are you, and all other men that are for *Paſſive Obedience*, guilty of? that wreſt the Scriptures which was appointed for the Suffering State of Chriſtianity, whilſt under *Heathen* Princes, and without Laws to ſupport them, and compare them to our preſent Circumſtances, and would oblige us to be paſſive, as they were, though our Religion and Liberties are Eſtabliſhed by the Laws of the Land? All that Men can blame us for, is for doing that which is Juſt; *viz.* for reſcuing a True Religion from an Idolatrous one, and preſerving our Laws, Ancient Rights and Liberties, from the Ruine and Slavery of Arbitrary and Unreaſonable Men, and Eſtabliſhing them upon a ſure and laſting Foundation. I ask, whether it can be found, that one Chriſtian in Ten or Twenty God hath given ſo much Courage and Strength (as he did to the Primitive Chriſtians), to withſtand the cruel perſecutions of their Enemies, for the ſake of Religion? Witneſs *France* and *Hungary*: And many more Inſtances might be given, by which it appears, that God hath not only left us to Humane Means, for the preſervation of our Religion, when Eſtabliſhed by Law, but that he expects it, it being for the preſervation of our own and our Childrens Temporal and Eternal Happineſs. As it is not lawful to perſecute contrary to the Laws of the Land, it follows, that it is lawful to withſtand ſuch Perſecution: And is it not better to dye with the Sword in the Hand, in defence of the Goſpel and its True Religion, againſt a Falſe one, which is endeavoured to be be ſet up contrary to the Law of God and the Countrey, than to be forced by Cruel Tortures and Perſecutions to worſhip God in an Idolatrous way? But ſome may object, It can be no Real Idolatry without the Heart joyns with the Ceremony of the Body; yet an outward Idolatry is a great ſin: But who can ſecure to us, that our Children, or Childrens Children ſhan't be Real Ido-

Idolaters? Then the ſin of Idolatry, which they ſhall be guilty of, will be laid at our Doors, when by a timely Defence we might have prevented it.

13. **Kings ('tis true) were made to govern and protect the People, the People to reverence and obey their Kings; both Kings and People to ſerve God, and keep his Commandments.**

The People are obliged to obey their King in every Act or Command of his which does not derogate from the Law of God and the Nation.

14. **The Deſign of the Corporation-Oath was moſt plainly to prevent all Rebellions, upon any pretence whatſoever.**

Can any man be ſo mad, as to think the Parliament did give up themſelves, and the Community, to obey whatever the King ſhould command? For what is it elſe, if the *Oath of Allegiance*, or *Corporation-Oath* is to be taken in the ſtricteſt ſence? This were to make the King a Tyrant by Law, or at leaſt allowing him to be ſuch. No Oath is or can be binding beyond the Deſign of the Giver: It is plain theſe Oaths were not deſigned for our Ruine; and therefore cannot be taken or kept in that ſence: All Oaths to a Governour, or Government, are deſigned for the Good, Safety and Wellfare of the Governed as well as the Governour. So no Oath can bind us to our own Deſtruction; though Lawful Authority ſhould command ſuch an Oath, it were a Sin to take it, but much greater to keep it, becauſe ſuch Subjection is inhumane, and contrary to the very Deſign of Government both from God and Man; and the leſſer Evil ought to be choſen before the greater: Rebellion is reſiſting the Lawful Power of the Government; but it is no more Rebellion to reſiſt the Unlawful and Exorbitant Power of the Prince than *Wat Tyler* or *Jack Cade*, &c. They are Rebels who arm againſt the Government (which is the Laws), not they that arm to defend it.

14. David made no Resistance at all, neither Offensive nor Defensive. As for your Negative Resistance by Flight (as you term it), I do not understand it: As for the Forces which he had about him, it's most probable that he raised them for no other purpose, but to be Spies and Scouts, to give intelligence of Saul's Ambushments: For what would Six Hundred Men have signified to Saul's Numerous Army, had it been David's intent to have made any Resistance? We read indeed that Athaliah was deposed; but what was the Reason? Not because she was a monstrous Unnatural Tyrant, but because she was an Usurper.

He who does not obey the Commands of his Prince, when according to Law, makes Negative Resistance, because he resists the Law, and by consequence the Prince What could *David* mean by having Six Hundred Men, but to secure his Person, and make positive resistance, if he had been forced to a strait, and could not have secur'd himself otherwise? Surely Fifty or an Hundred Men would have been enough for Spies and Scouts: Could not God have delivered *Saul*'s Numerous Army into the Hands of his Six Hundred Men, as well as the Numerous Army of the *Amalekites* into the Hands of but Four Hundred of his Men, 1 *Sam* 30. 10. 17. 1 *Sam* 26. 9. *David said to Abishai, Destroy him not; for who can stretch forth his hand against the Lord's Annointed, and be guiltless?* (*Abishai* had a Design to destroy *Saul*; and in stretching forth his Hand with that Design, had been a great sin): But he that defends himself from his Prince, who, though in his own Person, contrary to the Laws of the Countrey, endeavours to take away his Life, and being reduced to a strait, 'tis not properly to be said, stretching forth his hand against him, when at the same time he designs not to kill him, or do him any harm, but to disarm him, and secure himself: *Joash* was made King of *Israel*, and *Athaliah* was slain; but it may with more Reason be thought, for murthering all the King's Sons, except *Joash*, who

who was hid from her, than for Uſurping the Throne; for there is not the leaſt mention made of the cauſe of her death, 2 *Kings* 11. For do we not find in the next *Chap. verſ.* 20. that *Joaſh* was killed by his Servants; but ſo ſoon as the Kingdom was confirmed to *Amaziah* his Son, he ſlew his Servants which had ſlain his Father. The Proofs of Scripture which I quote, have a particular Relation to the Primitive Chriſtians under the Heathen Emperours, and to the Children of *Iſrael*, and 'twas uſual with God to ſet up one King (over his People the Jews) and pull down another for their Miſgovernment: But we cannot expect God to act ſo for us, becauſe he does not ſet up or appoint our Kings; therefore we ought to turn out ſuch Governours who endeavour to deſtroy the Government, and ſet up ſuch who will preſerve it.

16. **Neither an Invaſion actually made, or eminently feared by a Foreign Power, doth authoriſe Subjects to depoſe their King.**

We have not depoſed the King; neither was there any other deſign than to recover our Rights and Priviledges, and ſecure them for the time to come to our Poſterity, which every man is bound to endeavour (it being for the Common Good of the Nation) againſt the deſtructive deſigns of the Prince. But by what Reaſon (ſay ſome) ſhould King *James* loſe the Right he was born to, and by the Law ought to have? To which I anſwer, If King *James* had kept to Law, he had never loſt his Rights, for in ſo doing the Subjects were bound to aſſiſt and defend thoſe Rights; but if King *James* invading the Rights of his Subjects, and endeavouring to ſupport that Power by Force, if by Force he loſe his Rights, he may thank himſelf for invading the Rights of others. Does not a man, though free-born, forfeit his life by firing of a Houſe, Robbing, *&c.* which are but particular Calamities, and ſhall not a Prince, who is guilty of a General Calamity by deſtroying the Laws, and endeavouring to inſlave the Nation, loſe the Right of Governing that Nation, which is infinitely more reaſonable, than that the other

ſhould

ſhould ſuffer death? The Law allows a particular man, for juſt Cauſes, to diſinherit his eldeſt Son, and ſettle his Eſtate upon others of his Poſterity, for the preſerving of his Family; What Reaſon can be given (in an extreme Neceſſity) why ſuch an Advantage ſhould be denied for the preſervation of the Nation? But to proceed: The Conſtitution of our Laws is the happieſt in the World, it having Inſtituted the Legiſlative Power in three Heads or Parts of Government, that is, the King, Lords, and Commons, and that neither one or two of theſe parts can make or annul a Law, is moſt certain; and if either one or two of theſe parts ſhould aſſume that Authority, that part of the Government or Conſtitution is diſſolved and broken off. If I prove King *James* did take upon him this Authority, it will appear he thereby became no Governour or part of the Government. Which premiſed, I proceed: What could the compleat Legiſlative Authority done more, than in making a Law to annul any Law or Laws of the Land? Did not the King take upon him this whole Authority, that is, to make a Law to diſpenſe with the Laws of the Land? And was not its effect accordingly by putting Papiſts into places of Truſt, and by ſetting up Popiſh Schools and Chappels, Monaſteries, Frieries, *&c*? What was this but making himſelf the whole Fountain of the Government, when he was but a third part of it; in doing of which Act, he hath diſſolved that part of the Government which related to himſelf, by laying aſide his Kingly Authority (which is to govern according to the Laws of the Land) and Governing by his Abſolute Will and Pleaſure, whereby he ceaſed to be King; upon which the Oath of Allegiance is void as truly and really, as if he was actually dead, or had ſigned a Reſignation of his Crown, becauſe it was taken to him as King ruling according to the Laws of the Land, not according to his Will and Pleaſure. But ſuppoſe no Forfeiture could be made for his male Adminiſtration. If King *James* has Power to abſolve his Subjects from their Oath of Allegiance, by reſigning up his Crown (which is allowed on by all men) then the Stipulation, which hath

been

been taken, does naturally fall by his deſerting the Throne, and leaving no Commiſſioner or Commiſſioners to officiate in his ſtead; and throwing away the Seals of *England*, was nothing leſs than a publick Reſignation of his Throne to the Nation. But what can be ſaid for *Scotland* (ſay ſome) he having a Commiſſioner there? To which I anſwer, That he never was a lawful King there (if what they ſay is true) that he never took their Coronation-Oath, as well as for his Ruling by, and declaring of an Abſolute Authority, and that the People ought to obey him without reſerve: But though they obey'd him for the ſake of Peace, yet it was highly reaſonable, as well as neceſſary, to throw off this Arbitrary and Unlawful Governour. If no Forfeiture could be made, as ſome would inſinuate to the World, what Anarchy and Confuſion by conſequence muſt this Government have run into? For if we could only oblige him to promiſe or ſwear to govern according to Law, and not to commit the like Enormities for the future, what would this ſignifie to a Prince, whom no Oath can bind; and by the ſame Rule he has broken one Oath, he can break a thouſand? But ſuppoſe he had ſworn this, and immediately after ſhould have committed all manner of Outrages and Cruelties, what muſt we have done in that caſe? Why, we muſt have made him ſwear again and again as oft as he ſhou'd break his Oath. But if he had refuſed to take ſuch an Oath, or declared he neither could, nor would keep it, which is much the ſame thing as if he had taken it; then after having given our ſelves all this unneceſſary trouble, we muſt e'ne have ſet down and cryed, *Lord, have mercy upon us*, and expect our deliverance by Miracle, though Miracles are ceas'd. I ſay, what Deſtruction and Confuſion muſt we by conſequence hereof have run into, even to the utter Extirpation of all our Civil Rights, and what is moſt dear to us, our Religion, and deſtroying of many thouſand Souls, which he could not have ſtuck at for the promoting his Religion, by which he is obliged (under the pain of Damnation) to root out all Hereſie and Hereticks (for ſo they call the Proteſtants) If he could not have

have perverted us by *English* and *Irish*, or *French* Souldiers, he muſt have conſented to the cutting our Throats (or elſe damn himſelf by the neglect thereof) to prevent the ſpreading of Hereſie, by which Act he wou'd have merited Heaven in the higheſt degree, according to the Doctrine of their Church. Ah, but ſay ſome, we might have bound up his Hands from breaking of the Laws for the future. How abſurd is this, to talk of binding a King's hands, whom no Oath could, or can bind, and who has declar'd himſelf Abſolute, that is, above all Laws, his Will being his Pleaſure, his Pleaſure his Law: Beſides, all forced Bonds or Contracts are void by the Law (as for Example, if *A.* Debtor to *B.* gives him Bond for ſo much Money to releaſe him out of Priſon, 'tis of no force, he being forced to it in order to get his liberty) and that ſuch an Agreement, tho' by Lords and Commons in Parliament, wou'd not be voluntary, but forced, is moſt certain, becauſe it wou'd be to get a peaceable Poſſeſſion of his Throne, and therefore it wou'd become *ipſo facto* void to all intents and purpoſes. There cou'd be no other way of binding his Hands, than in effect to dethrone him, by taking from him the Authority, and leaving him only the Title of a King, and appointing of a Regent to Execute the Kingly Office for him, which he wou'd never have conſented to, becauſe he wou'd have been nothing but a meer ſtalking Horſe; and the reſult of this Action cou'd have been nothing leſs than a continued Confuſion during his life, if not a Civil War; for, no doubt, he wou'd have endeavoured to get a full poſſeſſion of the Throne, and to that end the King of *France* would have aſſiſted him with Men, who, with the Male-contents already here, wou'd have occaſioned a Civil War; for we muſt have defended the Regency. I ſay, if the Nation hath Power to take from him his Authority, and make him only a Titular King, ſurely they have Authority, when an abſolute neceſſity requires ſuch, (as in our preſent Circumſtances) to ſet up or appoint another King.

17. This

17. This Apothegm gives just as much, and no more to a Crowned Head, as to a private person.

This Assertion I deny; for a private person has no Authority at all but to live according to the Laws, whereas a King is an Executor of the Laws. But you would fain set the King above the Laws, though 'tis certain the Laws are his Rule, as well as the People's, and he cannot go contrary to them, without robbing the People of their Rights.

18, 19. The eighteenth is much the same with the 4, as also both the 23 and 24 following, which yet I shall take notice of in their places. As to the 19. I answer, Simnel and Warbeck had either of the Cheats succeeded, might properly have been called Counterfeit Kings; but a King who ascends the Throne by a regular Title, is a true and real King, though he doth not (as he ought) make the general good of the people his chief and main end.

Were the Kings over the Children of *Israel* counterfeit Kings, because they were not by regular Descent, of which there are many Instances, 2 *Kings* 23. 30. 2 *Kings* 23. 26. 1 *Chron.* 3. 16, *&c.* and Obedience was paid to them as much as to the others: a King is a true and real King, when in possession of the Throne (though not by regular Descent) having taken the Coronation-Oath, and Governing according to the Laws of the Land, 'tis not the Title, but the Office, that makes him a King, which if any King derogates from, he forfeits his Right of Governing: For Example, *Sigebert* King of the *West-Saxons*, for his male Administration was driven out of his Kingdom by the Nobles and People assembled together, and King *John*. King *Edward* the Second and *Richard* the Second were for breaking their Oaths, and Governing contrary to the Laws of the Land, turn'd out out of their Thrones, and others appointed in their stead, and a Clause of King *Henry*'s Charter says, *If the King invades those Rights* (meaning the Rights of the people) *it is lawful for the Kingdom to rise against him, and to do him what injury they can, as though they ow'd him no Allegiance.*

giance. Whilſt the Lady *Elizabeth*, the true Heir of the Crown was living, *Henry* the Seventh was declared King, without joyning her in the Title, or ſo much as making any mention of her Right, yet notwithſtanding the Kingdom bore Allegiance to this King *de facto* before he confirmed his Title to the Crown by marrying her. By a Law made in King *Edward* the Confeſſor's Reign, it is declared, That if the King doth not perform his Office, he ſhall not ſo much as retain the Name of a King. If a King that comes to the Throne by regular Deſcent, ſhou'd refuſe to take the Coronation-Oath, the People are not bound to ſwear Allegiance to him, and he neither ought, nor can be obeyed as a King in the leaſt Command, though he ſhou'd promiſe to govern according to Law, he being not qualified according to Law, therefore could not be Head and Governour. A King acting contrary to the Laws of the Land, is ſo far from being a true and real King, that in every ſuch Action he is no King at all, becauſe his Kingly Office is to Act according (but not contrary to the Laws.

20. Here let me ſpeak to you in the words of Solomon, I counſel thee to keep the King's Commandment, and that becauſe of the Oath of God, *Eccleſ.* 8. 2. The Obligation of our Oath doth not ceaſe, though the King be not in a capacity to protect us. If protection be the only ground and foundation of Allegiance, we ought to become Subjects of the ſtrongeſt Monarchy. If the King of France be beſt able to protect me, it is not only my Intereſt, but Duty (according to this Doctrine) to ſwear Allegiance to him, though he be (as you ſay) one of the greateſt Tyrants that ever the World produced.

The Oath of God that is mentioned *Eccleſ.* 8. 2. was the Oath of Obedience, which the People had taken to the King, of obeying him in the Execution of the Laws, which were the Laws appointed by God for Kings to Govern by, 1 *Sam.* 10. 24. *Nehem.* 10. 29. the Children of *Iſrael* took a Curſe and an Oath

Oath to walk in God's Law, and to obſerve all the Commandments of the Lord, his Judgments and his Statutes, which were the Laws of the Kingdom; but when they did obey their Kings contrary to Law, God did puniſh them, and likewiſe their Kings by delivering them into the hands of their Enemies, *&c. Ezek.* 17. The King of *Babylon* made the King of *Jeruſalem*'s Son King of *Jeruſalem* (during his Father's life, whom he had taken Captive with him) and made a Covenant with him, and took an Oath of him, *Verſ.* 12, 13. The King of *Jeruſalem* broke this Covenant in ſending for Horſes and much people from *Egypt*, *Verſ.* 15. But *Verſ.* 16. the Lord does declare he ſhall die for breaking the Covenant, which is called the King of *Babylon*'s Covenant. What is breaking of a Covenant, but one's cancelling of the obligation to the other by the non-performance on his ſide? 'Tis plain from hence, that the ſin lieth at his door who breaks the Covenant, and that it thereby becomes as void to the other, as if never taken. *Joſ.* 2. The two Spies that were ſent by *Joſhua* to *Jerico*, ſwore to *Rahab* that ſhe and all her Father's houſe ſhould be ſaved alive, *Verſ.* 20. *But if thou utter this our buſineſs, then we will be quit of thine Oath which thou haſt made us to ſwear.* What can be more plain, but that upon the Non-performance of an Oath on one ſide, the other becomes void? Can any man believe the Nation would have been ſo mad, as to have taken the Oath of Allegiance, if King *James* ſhould have refuſed to take the Coronation-Oath, which are mutual Ties of Faithfulneſs one to the other? What greater Nonſenſe can there be than to ſay, That one man muſt be true to another, when he hath broken his Oath, and endeavours to ruine or deſtroy him? Certainly in this caſe his Oath is void, and his righting or defending and ſecuring himſelf, is no falſeneſs to the other, and the miſchief that in that caſe happens, is a ſin to the Invader, not to him that endeavours to right himſelf; this is allowed on by the Laws of the Land and Nature. For there is no Oath can bind a man contrary to the Duty

which is due to himſelf, then how can a man be true to himſelf, if he lets another ruine or deſtroy him? *Numb.* 30. *If a woman vow a Vow unto the Lord, and bind her Soul by Bond, if her Father diſallow thereof, the Lord ſhall forgive her:* And ſpeaking of a married Woman, *Verſ.* 13. *Every Vow and every binding Oath to afflict the Soul, her Husband may eſtabliſh it, or make it void.* Surely 'tis more reaſonable to believe that God does abſolve men from their Oaths of Fidelity to a Prince upon the breaking of his Oath (which is the Covenant) by endeavouring to deſtroy the People, or make them Slaves, than that a Father or a Husband might make a Woman's Oath void (and that God would then abſolve her) without any conſiderations of the unreaſonableneſs thereof. The obligation of an Oath ceaſes, *viz.* if I borrow a Sword, and ſwear to return it by ſuch a time, and the perſon grows furiouſly mad, the Obligation is void; or if I ſwear to pay a man ſo much Money, and he forgives me, the Debt ceaſeth as much as if I had paid him the Debt, tho' no ſuch Condition was ſpecified; or if two perſons bind themſelves by Oath to a perpetual Friendſhip or Allegiance one to the other not to wrong, moleſt, or kill the other, and one ſhall be guilty of the great ſin of Ingratitude, and cheat, rob, or endeavour to ruine the other, or to kill him, in theſe Caſes he becomes his Enemy, and the Oath which the other hath taken is thereby become void, becauſe the Covenant is broken, and it is no Ingratitude in the other to right himſelf by Law, by impriſoning him, *&c.* or to defend himſelf. Was not King *James* guilty of this ſin of Ingratitude in a very high Nature, by breaking of his Natural and Political Allegiance which was due to the Community, in deſtroying the Government (that is, the Laws) and hanging many perſons contrary to Law, by not allowing them to plead for themſelves, and endeavouring to make the people Slaves to his exorbitant Will and Pleaſure? Now I appeal to all the World, whether or no our Allegiance is not void, as to King *James*, upon his breaking of his Allegiance, and whether

ther our Allegiance ought not to be transferr'd to their present Majesties, who protect us, and preserve us in all our Rights, &c. Protection is the only Ground and Foundation of Allegiance, because the Prince swears to protect and govern the People according to Law, for which Reason they swear to be true to him; but if he cannot or will not protect and govern them according to their Laws, Rights, and Priviledges, they may seek for it where they can get it: For no Allegiance can be due to him from the Community, who endeavours to destroy it. If one Prince conquers another's Country, the People are at the mercy of the Conquerour; and if he swear to protect and govern them according to the Law of the Country, they ought to swear Allegiance to him, and protect him in his Throne by fighting for him against all his Enemies, as long as he continues so doing. We ought to be subject to him whom the Law hath set over us, and who doth protect us, and not to the *French* King, or he that is best able to protect us. I could have instanced many more moral Arguments, which would induce any unbyas'd man to believe that all Oaths and Contracts have a tacit meaning, and upon the Non-performance on the one side, the other becomes absolutely void, though not specified at the Agreement; but for brevity's sake I shall leave them out, these Proofs being sufficient to satisfie all rational impartial men.

21. **Though the King do not perform his Coronation-Oath, yet his Subjects are not therefore absolved from the Oath of Allegiance; and on the contrary, the King is bound by his Coronation-Oath, though his Subjects do not keep that of Allegiance.**

The Subject is not absolved from the *Oath of Allegiance*, for every little Violation of the King's; but if the King endeavours to overthrow the Government which he's sworn to uphold, or to make the People Slaves, or destroy them, they are not obliged by this Oath

Oath to ſtand ſtill and let him: For the Deſign of this Oath cou'd be nothing leſs than the Safety of the People as well as the King: For if it was to be taken in the Litteral Senſe; the Parliament bound themſelves, and the reſt of the Body, to the King, as Head, that we ſhould ſubmit to the Invaſions of our Religion and Liberties, and the Eſtabliſhing of Idolatry; and to all the Outrages and Cruelties that the Devil or Man could invent, even to Death it ſelf, which is Diametrically oppoſite to all Laws, both Divine, Natural and Civil, and to all the Senſe and Reaſon of Mankind; and that this Oath cannot be taken in the ſtricteſt Senſe, though the Parliament deſign'd it, is plain, becauſe all Oaths contrary to our Duty to God, our Neighbour, or our ſelves, are invalid; and by Conſequence this Oath is without a tacit meaning, becauſe it tends to our own and our Neighbours Deſtruction. There is another thing very obſervable here; that is our Baptiſmal Vow, by which we oblige our ſelves to perform all Chriſtian Duties to God, our Neighbours and our Selves, which is, to be pious, do Juſtice and Charity, *&c.* which we cannot perform, if we were obliged by this Oath to let the Prince be guilty of all manner of Outrages: Beſides, all Oaths oppoſite to the Firſt a man takes are not binding, till the Obligation of the Firſt ceaſes; yet the taking of ſuch Oaths is a great ſin, and ought to be avoided. There is an Allegiance due to the Government as well as to the King; and he that bears true Allegiance to the Government, bears true Allegiance to the King; and he that bears true Allegiance to the King, bears true Allegiance to the Government: There is a Natural Allegiance due from the King to the Government, of preſerving it, as well as a Political one, by his *Coronation Oath.* It is truer Allegiance to defend the Government againſt the King and his Adherents, who ſhall endeavour to de-

ſtroy

ſtroy it, than to defend the King and his Adherents against the Government. Then how do we bear true Allegiance to the Government, if we ſtand ſtill, and let it be violated every day? If King *James*, by his Illegal Adminiſtration, gives occaſion for an Invaſion, and cannot hinder it, and makes himſelf uncapable to give Protection, by deſerting the Kingdom; and ſo leaves his People to the Mercy of the Invader, who cannot fight againſt him, without fighting againſt their Religion and their Conſcience. Whilſt they remain thus, they have neither Government, Juſtice, or Benefit of the Law; in this Caſe the *Oath of Allegiance*, or Bond which tied them together, is broken, and ceaſes as much as if he was actually dead, he being dead in Law; and they are no longer his Leiges, but at liberty to get protection where they can find it. Upon the Fortune of War, in *Flanders*, and many other Countries; where Towns and Cities have been one while one Prince's, and another while anothers; and ſo have been transfer'd forwards and backwards ſeveral times, and with them the Peoples Allegiance: And that this is the Practice of the whole World, I need not intimate to you. Now will any man ſay, that theſe men have broke their Oaths, by ſwearing Allegiance to him in Poſſeſſion, which muſt be, if their former Oaths are not void, and their Allegiance transfer'd to him in poſſeſſion? From hence it follows, That Protection is the only Ground and Foundation of Allegiance. The Scripture does not direct Obedience to the Right Heir, but the Powers in being. If the People endeavour to deſtroy or kill the King, the *Coronation Oath* neither does nor can bind him to protect them, but on the contrary, he commits a notorious ſin againſt the Law of Nature, if he does not defend himſelf, and deſtroy them, if there is a neceſſity for it to preſerve himſelf.

22. 'Tis

22. 'Tis not as reasonable that an arbitrary King should be deposed (for that must be the meaning of forfeiting and losing the Right of governing) as it is, that Subjects should suffer Death for conspiring against him. My Reason is, because the publick would suffer more by the impunity of bad Subjects, than of evil Kings.

'Tis more reasonable a King should lose his Right of Governing (call it what you will) for endeavouring to overthrow the Government, than that it should be overthrown by him, and the People lose the Right of being governed according to Law; which being done, they must by Consequence be Slaves to his Arbitrary Will and Pleasure: The Community would suffer more by one Evil King than by an Hundred Bad Subjects, because the Subjects are punishable for the least Misdemeanour, and the King not. When a King ceases to govern by Law, he ceases to govern; and when he ceases to govern, he ceases to be King: And this was the Case of King *James*, before the Prince of *Orange* Landed. Pray observe the Reply to the 18*th* and 19*th* Paragraphs.

23. The Authority of no King, but the King of Kings, is boundless and absolute: So that the Kings of the Earth may command things that are sinful, and which none are obliged to perform.

This is a certain Verity, and it agrees with my Quæry.

24. The Word Loyal, 'tis true, comes from the French La Loy, and signifies one that is true to the Laws. Now he who is so, will perform his Duty both to his King and his Countrey, and will not be Rebel either to the one or the other.

How can I be true to my King and Countrey, if I let men rebel against the Laws, by violating them every day? Though they Act by the King's Command, by the Advice of false Counsellours, yet are they Enemies to him, and Rebels to the Government, because it tends to the Ruin of both.

25.

25. **Passive Obedience is neither Popery nor Slavery establisht by Law, but the Doctrine of Jesus Christ, grievous to none, but those who desire to use their Liberty as a Cloak of Maliciousness.**

This is far from a direct Answer to my Assertion, wherein I said, and do again affirm, That Passive Obedience is Popery established by Law, and by consequence Slavery, when ever the Prince shall please. I ask, if King *James* when here, had put Papists into all Places of Trust, relating to the Choice of Parliament-men (which he had already begun) throughout *England*, and required them to return Papists to Parliament, and upon their Meeting they should have Established Popery, as the Parliament did in Queen *Mary's* dayes, (as no doubt they would,) I would fain know how far we should have been from Slavery, and all this by the Doctrine of Passive Obedience, without which they could not pretend to Establish their Religion. It is not the Doctrine of the Gospel, or of Jesus Christ, to be Passive beyond the Laws and Customs of the Countrey, this were to make Christ the Author or approver of Confusion and Destruction amongst Mankind, instead of Justice and Order. 'Tis against all the sence of Scripture and Reason of Mankind, to say that God Almighty created Mankind to be subject to Princes, (and of the Peoples making too) that in Case they should overthrow the Government, or use the People like so many Beasts instead of rational Men, and Persecute them with all manner of Cruelty, or endeavour utterly to destroy them, though they lived quiet and peaceable Lives, (yet that they should not defend and secure themselves from all such evil Designs:) If God expects such Subjection, surely it would have been mentioned in Scripture; but as he is no Respecter of Persons at the great Tribunal, so who can imagine that he is such a Respecter of Persons on Earth, as to set up or allow one Man so much above another, as in the foregoing sense? What can be said of such Men that assert Passive Obedience in the strictest sence, but that they

have degenerated from Nature, in cherishing a Doctrine which tends not only to the Destruction of themselves, but to the rest of Mankind, according to the Will and Pleasure of the Prince? Good God! to what a degree of Folly and Madness are some Men arrived at, to assert a Doctrine, which if once believed and practised, inevitably tends to the Destruction of Christianity, and to all humane Societies; 'tis a Doctrine not fit for savage Heathens, much less for rational Men. These are the only Men fit to be compared to Papists, and are as necessary for the support of the Mother Church as Fire and Faggot, the one prepares them for Destruction, whilst the other Destroys them.

26. **The Assistance which** Q. Elizabeth **gave to the** Hollanders **and** French **Protestants against their lawful Sovereigns, as also the Business of** Rochel **in** King Charles **the First's time, are improperly argued against the Doctrine of Passive Obedience: Independant Princes, for Reasons of State (best known to themselves) may help their Neighbours, without injuring the Doctrine of Passive Obedience.**

One Prince may assist another for Political Ends against another Prince or State, but he cannot assist his Subjects, who are in actual Rebellion against him, though their Pretensions be never so reasonable, without committing a notorious Sin, according to the Doctrine of Passive Obedience, because, He that is aiding and assisting to Rebels, is as guilty of Rebellion as if he were actually in it.

27. **Oh, do not revile the King though he lay in Ashes, much less whilst he is on this side of the Grave! I question not but that the unfortunate King** James's **Life will be more favourably represented in History than you have here**

described

described him. You seem to be very angry with him, because he endeavours to re-establish himself with the Sword, and yet you have given to every Man (even the meanest Cobler) the Right of Self-preservation as entire under Civil Government as he had in a State of Nature: Upon my Word, Sir, this is very hard and unequal dealing, at once to Abdicate your King, and at the same time complain of him for endeavouring to recover his Right.

I have as Honourary a Respect for a King as any Man whatsoever, whilst he continues his Kingly Office, that is, Governing according to the Laws of the Countrey; but when he shall degenerate, and break all his Sacred Oaths and Promises, and destroy the very Foundation of Government, which ought to be kept inviolable, then have I Reason to turn my Love into Contempt, I having (as all Men ought to have) a real and truer Love for my Countrey and its excellent Constitution, than for ten Thousand Kings who shall endeavour to destroy it. I have not reviled the late King *James*, but spoken the Truth, as will appear by what follows. Were not his Creatures, as Papists and Popishly affected, put into Places of Trust by his Means during his Brothers Reign, and Parliaments Prorogued and Dissolved? And was he not believed by most of the Nation to be the Head of the Popish Plot? these are sufficient to prove that he Conspired against the People and Government when Duke of *York*: I need not mention his Actions when King, they being fresh in every Man's Memory. Self-preservation is inherent to all Men, but it does not follow that a King who has renounced his Throne, and abandoned the Kingdom, should endeavour to re-establish himself through a Sea of Blood, though the Government is provided with another Governour. What right hath a King to the Throne but from the People? If you can make out your Doctrine of *Jure Divino*, then you may lay Claim to such Rights for

your King *James*, as neither the Law or Reason does or can allow.

28. **That God did originally Institute Monarchy, I do say; but that we are Commanded to obey Kings exclusively to all other Government, doth not follow, and I do not maintain.**

If God did Command or Appoint the World to be Governed by Kings, and that he hath not revok'd that Decree, then it does follow, that all other Government is sinful, because any thing contrary to the Appointment or Command of God is a Sin.

29, 30. **We have very little Account of the World from the Creation to the Flood, but by what appears, we may safely conclude, that God then Governed his People by a Paternal Monarchical Authority; and afterwards** Melchizedeck, Abraham, **and the Patriarchs, were great Kings and Princes;** Moses **was King of** Jeshurun; **the Judges were so many Monarchs for the time being, and so all along the** Jews **were under a Monarchical Government, and therefore it was their Fault to desire a King after the manner of the Nations, when they already had such a Regal Government as God thought fit to appoint.** Nimrod **is not the first Monarch, but the first mighty Hunter (or cruel Tyrant) we meet with in Scripture: but consider I pray, whether the Dominion which God gave unto** Adam **did not make him the first and greatest Monarch upon Earth; and if so, this makes not a little for the** *Jure Divino* **Doctrine,**

(which

(which term of Art yet I profess my self not to be in love with:) doth not God himself tell us, That by him Kings reign? doth he not say of David, He hath exalted one chosen out of (not by) the People? doth he not call Cyrus (an Heathen King) his Anointed? and are we not told what horrid Wickedness was committed when there was no King in Israel? All these things shew that Monarchy is from God, and that there were Kings in the World before Nimrod; unless you understand by Kings only such wicked Persons as he was, (as you seem to do:) But yet though this be true, yet 'tis not absolutely necessary that all the World should be Governed by Kings, any more than that all Churches should be necessarily governed by Bishops, because 'tis certain that Episcopacy was Instituted in the Church by our Saviour and his Apostles.

I never 'till now heard, That a Paternal (which is a Fatherly) Authority was a Kingly Authority. It cannot be supposed that *Adam* was a King, upon the Authority which God gave him of having Dominion (without it be understood) over the Fish of the Sea, and the Fowl of the Air, and the Cattel, *&c.* nor because God bid him be fruitful, and multiply, and replenish the Earth, and subdue it, because there was nothing to subdue, (except Beasts) he being the first Man of the Creation. It can mean nothing else, than that he should have Power or Authority as Father over all his Children, and subdue them if they were Rebellious in disobeying his Commands. But to proceed, After the Flood, the Twelve Sons of *Jacob* were Patriarchs, that is, chief of the Fathers, or chief Head Prince of the Family; and such was *Abraham*, who was called a *Father* (not a King) of *many Countries*: The Judges were not Monarchs

Monarchs for the time being, but Rulers over the People, *Act.* 4. 8. With what Face can you aſſert that the *Jews* were all along under a Monarchical Government, when 'tis certian there is not the leaſt Intimation thereof in Scripture. *Melchiſedeck* was a Type of Chriſt, being both King and Prieſt, he was *King of Righteouſneſs*, and King of *Salem*, which is *King of Peace, without Father or Mother, having neither beginning of Dayes nor end of Life*, Heb. 7. 2, 3. He was a Sovereign King and High Prieſt of the Church, and ſuch was Chriſt, not uſing Authority like unto worldly Kings. *Deut.* 34. 10. ſpeaking of *Moſes*, There aroſe not a Prophet ſince in *Iſrael*, whom the Lord knew face to face; he being a very Holy Man, and ſuch a ſingular Prophet, and whom the Lord had ſuch a reſpect for that he buried him Himſelf, *Ver.* 6. therefore it may with Reaſon be concluded that God gave him an Honour above other Prophets by making him a King, and likewiſe *Melchiſedeck* was a Type of Chriſt: But theſe Kings did not act by their own Will, but by the Will and Appointment of Almighty God: We read of no other King or Kings over the Children of *Iſrael*, 'till they deſired a King. *Iſa.* 44. 28. & 45. 1. *Thus ſaith the Lord to his Anointed* Cyrus, *he is my Shepherd, and ſhall perform all my pleaſure, whoſe right hand I have holden to ſubdue Nations before him:* But doth God call any other Heathen Kings his *Anointed*, of which there was a great Number during the time of the Children of *Iſrael?* Was not St. *Paul* by the appointment of the Almighty one of the chief of the Apoſtles, though he had been a violent Perſecutor? And it may very well be thought that God by a particular Providence cauſed *Cyrus* to be made King, by whom he deſign'd to ſubdue Nations, and therefore may be very properly called his *Choſen* or *Anointed*, for in the firſt Year of his Reign he made a Decree to build the Houſe of God, *&c. Ezra* 5. 13, 14. I do once more affirm, that *Nimrod* is the firſt King mentioned in Scripture, *Gen.* 10. 9. *Deut.* 16. 18, 19. The Children of *Iſrael* are commanded to make Judges and Officers throughout their Tribes, (of which they had Twelve, *Gen.* 49. 28.

Mat.

Mat. 19. 28. which were Societies,) *And they ſhall Judge the People with juſt Judgment, not wreſting Judgment or reſpecting Perſons:* This was the Government that God had appointed over the Children of *Iſrael*, which was by Judges and Prophets, not by Kings: But ſuppoſe theſe Judges were Kings, according to your Aſſertion, it follows, that the People have right to Elect their Kings by Divine Appointment. This makes not a little againſt the preſent pretended *Jure Divino* Doctrine; yet 'tis certain that there was many Kings by Divine Appointment in the time of the Children of *Iſrael*, but that they are ſo now, I do abſolutely deny. Pray Sir examine this Paragraph well, for I do poſitively charge you with Wreſting the Scriptures, and making very falſe Aſſertions: I require you to prove that Kings are by the Command or Appointment of Almighty God, which done, I'le prove ſuch Government to be neceſſary, and that all others are ſinful.

31. **Some ſort of Allegiance is due to him from whom we receive Protection; that it is the only Foundation of Allegiance, I do again deny.**

The Coronation Oath, and Oath of Allegiance, are mutual Ties of Protection, and of Obedience to the Laws; the King to obey the Laws in Adminiſtration of Juſtice, and the People to obey the Laws in being Paſſive to them. It is impoſſible for a King to Govern with that Juſtice and Equity, but he will have ſome Enemies; and if the People do not protect him, how can he be ſafe in his Throne? There is a Natural Allegiance due to all Men, that is, from one Man to another; and there is a Political Allegiance due to the King for protecting me in my Civil Rights, *&c.* and this is the only Cauſe and Foundation of Allegiance, to which I have ſpoken more large in the 20, and 21, Replyes.

32. The

32. The Law indeed Indemnifies the People for Obeying an Usurper, (or a King only de Facto) **but this supposes a Fault which without this Law was severely punishable; besides, it doth not say that they shall assist the King** de Facto **in his Warrs,** &c. **but only take care to secure them if they do so.**

What Fault can there be supposed in Obeying or Assisting an Usurper or King *de Facto*, when the Law does not Punish, but allows of such Obedience and Assistance. Treason cannot be committed against a King out of Possession of the Throne, but it is Treason to be aiding or assisting towards his Restoration, which is Conspiring against the King *de Facto*: And as long as a King in Possession (tho not by regular descent) governs according to the Laws of the Land, he ought to be assisted, and may require his Subjects Assistance in his Warrs. After all the Clamour and Noise that hath been made about the Obligation of the Oath of Allegiance, it appears by this that it is only Conditional, and that it is dissolved whenever the King ceases to Govern or Reign.

33. As for your Aphorism the Safety of the People, &c. **I do not dispute the truth of it. But whether the way to observe this supream Law, be, to violate the Right of Succession, I do, and so will you, I believe, upon second thoughts very much question.**

The Divine Law is the same in one Countrey as in another. I would fain know whether the Law that is made in *France*, That no Woman shall Inherit the Throne, and the turning out the King of *Portugal*, and setting up his younger Brother, who was more fit to govern, (and many like Instances might be given) be against this Divine Law; and whether or no *England* for its Security may not exclude the

next

next Heir to the Crown, or turn out He that ſhall be upon the Throne, who are uncapable, or will not govern according to the Laws of the Land. I do affirm, that there is no other Right of Succeſſion than what proceeded from the People, and that this was given to the King for the time being, and to his Heirs, upon Condition that He and they ſhould Govern according to the Laws and Cuſtoms of the Countrey; elſe to what purpoſe was theſe Rules and Bounds of Government given, but that he ſhould be obliged to govern according to them, and not according to his Will and Pleaſure? What an Eſſay would it be upon our Reaſon, to think that our Anceſtors who made Kings, were ſuch Fools or Mad Men, as not to reſerve to themſelves a Power of turning them out if they endeavour'd to deſtroy them, or act contrary to thoſe Rules they had ſet them: If they had no ſuch Intention or Reſerve, yet it follows they had ſuch Power, and that it ſtill remains; becauſe there neither was, nor is any Law to the contrary, and this has been ſeveral times Executed, as may be ſeen in the 18, and 19, Reply.

34. **The Kings of** England **(as all other Kings) came to their Crowns by Divine Appointment, and are only recognized or received to their Rights by the People. The Prerogatives and Authorities of the Crown are given to the King for the time being, only to prevent what Miſchiefs might otherwiſe enſue to the Community.**

Sir, You are pleaſed to take no Notice of the latter Part of my 29*th*. Query, which is as diſtinct a Head as any one, and begins at the ending of a full Point, thô not in a Break like the reſt, which being very proper, in Anſwer to this Aſſertion of yours, I ſhall here inſert it, *viz. If Kings are by Divine Appointment, is it not rational to believe that God would have commanded all the World to have been Govern'd by Kings, or at leaſt the Chriſtian World; and have given them a Law to Govern by?* The Prerogatives and Authorities of the Crown are nothing but the bounds and ſupports of the

Regal Authority, and are given to the King for the time being; but if he exceeds those Bounds, it is no Prerogative or Authority, and then most certain the People who gave him his Authority has Authority to take it away. Now I would fain know what your *Jure Divino* King would signifie, (more than a stalking Horse) when his Prerogatives and Authorities are taken from him, (for you allow them to be in the People) for I am sure this is the only way to prevent the Mischiefs which would otherwise ensue to the Community from a false and destructive Governour. It cannot be proved that there hath been a King by Divine Appointment for these many Ages last past: If they were by Divine Appointment, then they would be set up by the immediate Appointment of Almighty God, as over the Children of *Israel*; or else the Scripture would have said, that their Issue should be Kings, (and then you must prove a right Line from that Issue, which is impossible to beproved) or that the World should be Govern'd by Kings. Since God Almighty hath no where Commanded or appointed the World to be Govern'd by Kings, it absolutely follows, That it is the Peoples Right to choose their Kings and Governours; and then what greater Nonsense can there be, than to affirm the People hath not Right to Punish their Kings, by turning them out of the Throne for not Administring of Justice!

35. **In the first Ages of Christianity, the Right of Succession was not a settled Title to the Empire, neither were the Christians of that time bound by Oaths of Allegiance and Supremacy; And this is the reason most probably why our Saviour and his Apostles only warn'd them in general to Obey the Emperours who were then in Power, without enquiring into their Right and Title.**

Although in the first Ages of Christianity the *Roman* Emperours were seldom by a Hereditary Right, and the Christians

ſtians were not bound to them by Oaths of Allegiance and Supremacy, yet the Commands of our Saviour and his Apoſtles for their Obedience to thoſe Heathen Princes, under the Pain of Damnation, was more binding than any Oath thoſe Princes could have required of them.

36. **As for your Challenge, I do undertake to prove the Doctrine of Paſſive Obedience, and Unlawfulneſs of Depoſing of Kings, by Scripture, Law, and Reaſon, when you ſhall think fit to make any material Objections againſt them; but yet when I have done this, I am, (I aſſure you) and ſhall be as averſe as you are from having my Throat cut either by** French **or** Iriſh **Dragoons. As for the** *Jure Divino* **Doctrine (in your ſenſe) I do not undertake for it.**

Sir, You undertake to prove the Doctrine of Paſſive Obedience, why did you not joyn *Jure Divino* to it, (which you have ſtrove hard to prove in your 29*th*. Anſwer, and have aſſerted in your 34*th*. Anſwer) for they uſed to go together, during the time of the Children of *Iſrael*, when God ſet up their Kings; but ſince he hath ceas'd to ſet up or appoint Kings, *Paſſive Obedience* and *Jure Divino* do ceaſe alſo. In your ſixth Anſwer you have aſſerted that which is diametrically oppoſite to this Anſwer of yours, *viz*. For you there aſſert, that *He that reſiſts*, (meaning the King) *does not only reſiſt the Uſurpations of Men, but the Ordinance of God, thô he were a* Claudius *or a* Nero, who were two great Tyrants; eſpecially *Nero*, who I believe cannot be parallel'd. And you likewiſe there declare, *that Abſolute and Unconditionate Obedience is due to the King as God's Vicegerent*, what is this but aſſerting Paſſive Obedience in the ſtricteſt ſence imaginable? which Doctrine if true, then if the King deſtroyed the People by Hundreds and Thouſands, they ought not to reſiſt; for that God would puniſh him himſelf, as he did the Kings

over the Children of *Israel*: But where have we had an Example or Examples for these several Hundred Years last past, where God hath sent his visible Judgments upon wicked Kings, whereof the World hath been pester'd with a great many: I say, if God should send his private Judgments upon Kings (or Damn them) for their Wicked Government, (which we ought not to Judge) what would this signifie by way of Example to other Kings? What a notorious Hypocrite are you become, to Preach up Passive Obedience to others, yet at the same time assuring me, that you are and shall be as averse from having your Throat cut as I am? if so, then you are for resisting any Man or Men whatsoever, who shall endeavour to take away your Life contrary to Law; and you could not but understand these were my Sentiments by my 6, 7, 8, and 10. Paragraphs. I would desire You, or any Man else to reconcile these Contrarieties together if they can. As for the Unlawfulness of Deposing Kings (as you call it) I need say no more, having already spoke sufficient in Answer to your sixteenth Apothegm. But pray *Sir*, what do you mean by not Undertaking for the *Jure Divino* Doctrine in my sence, when 'tis plain I have not asserted any such thing by my Challenge to the whole World for to prove that Doctrine?

37. **At last you turn Conjurer, but you say that your Charms have had no Opperation upon me; I am still unsatisfied with your Assertions and Propositions, and I doubt not but that all honest Men who shall impartially Judge betwixt us will be so too. I am equally against Rebellion in the State and Schism in the Church. I am far from sowing Dissentions amongst the People, or perswading any Subject from his true Allegiance: Let those who are guilty of this double sin, beware lest they be doubly Punished, with the Judgments of God in this World, and Damnation in the World to come.**

If

If your Answer be your Sentiments, (which no body ought to doubt of) then there is great Reason to believe that your Conversation amongst Mankind is to the same purpose, and then you are guilty of this double sin, of sowing Dissentions amongst the People, and disswading their Majesties Subjects from their true Allegiance. Now let all impartial Men that read this Book judge between us two.

38 Thus Sir you have a short and I hope a direct Answer to your Propositions, if you shall think fit to Print it, you have the consent of N.N.

I Challenge you and all other Men that do still persist in these inhumane and damnable Principles to answer what hath been said: I could wish that you and they would consult together, that the strongest Arguments that can be said for your Doctrine may be there inserted, which if short, and sent to Mr. *Harrison* the Bookseller, I do Promise once more to defend what I have asserted, and Print the Answer that shall be sent, with my Defence annext to it. But I hope that you and all other Men that have such Erroneous and destructive Principles, will upon the whole examine well what hath been said, and like good Christians acknowledge your Faults, and not add sin to sin in Justifying your selves in such an ill Principle; and in so doing you may be a means of adding Happiness to this Golden Age: And that Peace and Plenty, Justice and Judgment may flow in our Streets as long as the Sun and Moon endures, is the desire of him who wisheth an Eternal Happiness to this our *Israel*,

A. A.

FINIS.

Advertiſements.

THE *Author hath received two other Anſwers, but thinks them not worth Anſwering; and being reſolved to expoſe that Irrational Doctrine, and the weakneſs of the pretended Juſtifiers thereof, (but that the World may ſay that they have a fair Adverſary to deal with, who is not willing to expoſe their Perſons, but only their Folly, leaſt ſome Perſons might know their hands) doth promiſe to leave the true and exact Copies of thoſe Letters at Mr.* Harriſon's *the Bookſeller in* Cornhil, *where any Gentleman that deſires it, may ſee them.*

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